

Know Your Rights Parent Handbook Information Sheet

This is the Know Your Rights parent handbook. This handbook explains specific rights and safeguards as they relate to your family's involvement with Early Supports and Services (ESS). This handbook outlines key points and various parts of the process.

Before we had this face-to-face meeting, a referral was called in, faxed or emailed to your Area Agency. Your Area Agency is named _____. The first visit is called the Intake visit.

During the intake visit one of the things we do is review the information in this Rights handbook with you. We want to make sure that you know and understand your rights and whom you can contact if you have any questions or concerns about the process. ESS staff will review this handbook with you again before any meeting is held with regard to your child and family's involvement with Early Supports and Services.

Parental Consent

Your written consent must be obtained before:

- Any screening procedures (such as the Ages & Stages Questionnaire) are performed
- Your child's evaluation and assessment is conducted
- Any services are provided for your child
- Any information about your child is shared with anyone.

Written Prior Notice

The ESS program will provide you with written prior notice before:

- They propose to change, or refuse to change the eligibility status (the reason your child is either eligible or not eligible for ESS),
- Evaluation, or
- How and where your services are being provided

The notice must contain:

- The action that is being proposed or refused
- The reasons for taking the action
- All procedural safeguards that are available (listed in this handbook)

For example, you will be given written notice before your child's evaluation, if he/she is found to be eligible for the ESS program and before his/her Individualized Family Support Plan is developed or changed in any way.

The notice must be provided in your native language or other mode of communication that you use.

Initial timeline

We have 45 calendar days from the date your Area Agency received your referral to complete the following:

- Your child's developmental evaluation
- Your child's Individual Family Support Plan (IFSP)

Attachment 1

The right to accept or decline services

Participation in ESS is voluntary. Please know that you can accept or decline any supports and services without jeopardizing other supports and services. For example, let's say your IFSP states that your child will receive home visits from an occupational therapist once a week and it was recommended that he/she also receive home visit consults by a speech language pathologist once a month. If you do not agree with having the speech language pathologist visits on a monthly basis, and would like to propose changes in your IFSP you have the right to decline the monthly visits and continue to receive the weekly visits from the occupational therapist while your proposed changes are being discussed and the disagreement is being resolved.

Confidentiality

You have a right to review and inspect any early supports and services records relating to your child that are collected. The ESS program shall keep a record of parties obtaining access to ESS records collected, maintained or used under the ESS program.

Parental consent must be obtained before personally identifiable information is disclosed to anyone other than officials of participating agencies collecting or using information under the ESS program. A full list of safeguards regarding confidentiality of records is noted on pages 10-12 of this handbook.

Rights of children are protected

The rights of children eligible under the ESS program are protected even if

- No parent can be identified
- The ESS program, after several attempts cannot discover the whereabouts of a parent; or
- The child is a ward of the state under the laws of NH.

With circumstances that are listed above there is a process where a “surrogate parent” could be assigned to the child. For information about this process please refer to pages 18 & 19 of this handbook.

Resolution of individual child complaints

New Hampshire's ESS program has procedures in place to help resolve disagreements. If you disagree with the ESS program on the

- Eligibility status
- Evaluation, or
- Provision of appropriate early supports and services for your child and family

You have the right to a timely administrative resolution of your concerns through mediation and/or an impartial due process hearing. More information about this process is listed on pages 13 through 18 of this handbook.

Administrative Complaints

In addition to the individual child complaint process you may file a written signed complaint that any public agency or private service provider participating in the ESS program is violating a requirement of state rules and federal law. More information about this process is listed on pages 17 and 18 of this handbook.

If you have any further comments or questions regarding your rights you can contact

(Give business card or write your name and number)